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REMARKS

Applicants would like to thank the Examiner for careful consideration of this application.

Claims 1-14 are pending in the application. The Examiner found allowable subject matter in Claims 2-5 and indicated that Claims 2-5 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 1 has been amended. Support for all amendments and new Claims 8-14 can be found in the specification as originally filed. No new matter has been added.

Rejections under 35 USC 102

Claims 1, 6 and 7 stand rejected under 35 USC 102(b) as being anticipated by US Patent No. 4,677,980 to Reilly et al. (hereinafter "Reilly").

The Office Action alleges that "Reilly discloses an injector system having a syringe with a body 22 and plunger 38-4, an injector housing 12 and piston 168."

Applicant's Claim 1 has been amended to include a piston "movably disposed at least partially within the housing and operable to drive the plunger of the syringe in a forward direction without a connective engagement therebetween to dispense fluid from the forward end of the body during an injection procedure, wherein the piston is adapted to connectively engage the plunger to retract the plunger within the syringe."

It is well settled that in order for a prior art reference to anticipate a claim, the reference must disclose each and every element of the claim with sufficient clarity to prove its existence in prior art. The disclosure requirement under 35 USC 102 presupposes knowledge of one skilled in art of claimed invention, but such presumed knowledge does not grant license to read into prior art reference teachings that are not there. See *Motorola Inc. v. Interdigital Technology Corp.* 43 USPQ2d 1481 (1997 CAFC).

Reilly discloses an injector including a syringe having a plunger which is advanceable through a tubular body for forcing contrast media into the vascular system during an injection operation. The injector "employs a driving mechanism

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for connecting with and controlling the movement of the syringe plunger once the syringe is in place for injection. Col. 2, lines 1-4. Specifically, Reilly discloses that:

a rotatable-type plunger release mechanism 80-4 which includes a plunger 38-4 and a drive mechanism 66-4. The plunger 38-4 includes a rotatable member 156 mounted for free rotation on a projecting stem 158. The rotatable member 156 includes a series of raised screw-type threads 160 which define a plurality of inclined channels 162 therebetween. The rotatable member 156 is retained on the stem 158 in a suitable manner, such as by a C-shaped clip 164.

The drive mechanism 66-4 includes a pair of opposed hook assemblies 166 fixedly mounted at inner ends thereof on the drive piston 98. Each of the hook assemblies 166 includes a right angle member 168 having a hook member 170 fixedly mounted thereon adjacent an outer end thereof, with the hook member being of an essentially inverted V-shaped configuration, as viewed in FIGS. 18 and 19.

In use, as the drive mechanism 66-4 is initially advanced by the drive piston 98, the hook shaped members 170 enter respective ones of the channels 162 between the screw threads 160, with the rotatable member 156 rotating to permit passage of the hook members through the channels. Eventually, outer ends of the hook assemblies 166 engage the plunger 38-4 to move the plunger through an associated syringe (not shown) in the usual manner. Col. 10, lines 4-29 (Emphasis added).

Thus, Riley discloses that the piston 98 connects to the plunger 38-4. Further, Riley discloses that the connection between the piston 98 and plunger 38-4 engages not only during retraction of the plunger, but also in the forward direction during injection.

Therefore, Riley discloses that the drive mechanism 66-4 of piston 98 directly connects to the plunger 38-4 via hook assemblies 166 including right angle members 168. Accordingly, Riley does not disclose "a piston movably disposed at least partially within the housing and operable to drive the plunger of the syringe in a forward direction without a connective engagement therebetween to dispense fluid from the forward end of the body during an injection procedure, wherein the piston is adapted to connectively engage the plunger to retract the plunger within the syringe" of Applicants' independent Claim 1. Reilly does not

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disclose each and every element of Claim 1, therefore the rejection under 35 USC 102(b) should be withdrawn. Reconsideration is respectfully requested.

Further, claims 2-7 depend from and add further limitations to claim 1, which as discussed are believed to be allowable. Thus, claims 2-7 are also believed to be allowable. Reconsideration is respectfully requested.

NEW CLAIMS

New Claims 8 and 11 combine the subject matter of allowed Claim 2 and 4, respectively. Thus, Claims 8 and 11 are believed to be in condition for allowance.

Regarding new Claims 9-10 and 12-14, Claims 9-10 and 12-14 depend from new independent Claims 8 and 11, respectively, which as discussed are believed to be allowable. Accordingly, Claim 9-10 and 12-14 also are believed to be allowable.

In view of the above amendments and remarks, Applicants submit that the claims are in condition for allowance and the Examiner would be justified in allowing them.

Respectfully submitted,

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CERTIFICATE OF FACSIMILE TRANSMISSION

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